

REMARKS

Claims 1, 2, 4-9, 11-16, 18-23, 25, and 26 were pending prior to entering this amendment. Claims 1, 4-6, 8, 11-12, 14-15, and 18-21 have been amended. Claims 2, 7, 9, 13, 16, 22-23, and 25-26 have been cancelled. No new matter has been added. Applicants do not add new matter and respectfully request reconsideration and allowance of the present application.

Claim 1, as amended, is novel and non-obvious

Claim 1, as amended, recites “downloading an updated router operating system version and an updated router hardware configuration from the server, wherein said instructions are further configured to monitor for occurrence of the routing table synchronizations and opportunistically initiate said downloading in response to observing one of the routing table synchronizations so that said download initiation coincides with timing determinations of the routing protocol.” None of the cited references of record disclose at least this feature.

None of Matthews, Fletcher, Richman, and Foster discuss the operation of routers or routing protocol, thus none of these reference disclose the claimed features.

Collins fails to disclose that which is absent from Matthews, Fletcher, Richman, and Foster. Collins discloses manual configuration which would require user input, “the user would simply check the appropriate boxes or other user interface devices in order to send the desired configuration information to the interface device through the host computer bus, or to send configuration information stored on board in non-volatile memory to the desired reconfigurable element.”¹ Furthermore, Collins simply does not disclose instructions configured to “monitor for occurrence of the routing table synchronizations and opportunistically initiate said downloading in response to observing one of the routing table synchronizations so that said download initiation coincides with timing determinations of the routing protocol.” None of the other cited references disclose that which is absent from Matthews, Fletcher, Richman, Foster, and Collins.

In contrast, claim 1 recites “downloading an updated router operating system version and an updated router hardware configuration from the server, wherein said instructions are further configured to monitor for occurrence of the routing table synchronizations and opportunistically initiate said downloading in response to observing one of the routing table synchronizations so

¹ Collins, Col. 8, lines 25-31

that said download initiation coincides with timing determinations of the routing protocol.” Thus, claim 1 should be allowed. It is noted that the amendments are supported in numerous portions of the present application, for example, page 13, lines 20-22, page 18, lines 15-20, page 20, lines 4-9, and page 21, lines 10-13.

Further to everything cited above, claim 1, as amended, also recites “broadcasting notification of the updated router operating system version and the updated router hardware configuration across the routing domain, wherein said broadcast notification triggers the routing domain to autonomously synchronize to the new configuration; wherein the other routers receiving the broadcast notification are configured to delay downloading their configurations from the server, if necessary, so that said downloading by the other routers coincides with the routing protocol’s timing determinations.” None of the cited references disclose at least this feature, thus claim 1 should be allowed for at least this additional reason.

Claim 4 put into independent form

Claim 4 has been put into independent form. The only change to the scope of claim 4 is to remove the limitation that said second flash memory unit is erased and rewritten independently of said first flash memory unit as explained in the response to the drawing objection.

Claim 4 recites in part, “initiating download of said updated hardware configuration upon request of said networked communications device based on low network usage.” This feature is absent from all the cited references.

The Office Action acknowledges that this feature is absent from Matthews. *See* Office Action, page 10, first full paragraph.

Collins discloses slowing down or stopping an existing file transfer according to the monitoring of buffer pools in the clients. *See* col. 12, lines 19-26. Slowing down or stopping an existing file transfer based on monitoring the client’s buffer pool is not “initiating download of said updated hardware configuration upon request of said networked communications device based on low network usage.” None of the other references disclose that which is absent from both Matthews and Collins.

In contrast, claim 4 recites “initiating download of said updated hardware configuration upon request of said networked communications device based on low network usage.” Thus,

claim 4 should be allowed. Claims 5-7, being dependent, should be allowed for at least the same reason.

Drawing Objections

The examiner objected to the drawings under 37 C.F.R. § 1.83(a) and stated the drawings must show every feature of the invention specified in the claims. The applicant submits replacement drawings of figures 2-4. Applicant amends Figure 2 to show the CPU 205 and main memory 210 of the system on a removable card, as well as a programmable logic unit on the removable card. Applicant amends figures 3 and 4 to show receiving an updated operating system 350 and 460 respectively. The portions of claims 1, 8, 15 and 22 referring to first and second flash memories being independently erasable/rewritable have been removed; therefore the drawings are not amended to show these features.

The applicant believes that the attached formal drawings are sufficient to “show every feature...specified in the claims”² as required by the rules to enable a person of reasonable skill in the art to practice the invention.

Claim Rejections - 35 U.S.C. § 101

The examiner rejected claims 22, 23, 25, and 26 under 35 U.S.C. § 101.

Claims 22, 23, 25, and 26 have been cancelled, thus the rejection is moot.

Claim Rejections - 35 U.S.C. § 103

The examiner rejected claims 1, 5, 8, 12, 15, 19, 22, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Matthews Jr. *et al.* (U.S. Patent 6,457,125) in view of Fletcher *et al.* (U.S. Patent 6,009,274), Richman *et al.* (U.S. Patent 5,655,148), and Foster *et al.* (U.S. Patent 5,615,225).

Claims 1 and 5 should be allowed for the reasons previously discussed. Claims 8, 12, 15, and 19, as amended, include features similar as those in claim 1 and thus should be allowed for at least similar reasons as claim 1. Claims 22 and 26 have been cancelled.

² 37 CFR § 1.83.

The examiner rejected claims 2-4, 9-11, 16-18, and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Matthews, Fletcher, Richman, Lee (U.S. Patent 5,748,912), and Foster as applied to claims 1, 8, 15, and 22 respectively above, in view of Collins *et al.* (U.S. Patent 5,671,355).

Claim 4 should be allowed for the reasons previously discussed. Claims 11 and 18, as amended, include features similar as those in claim 1 and thus should be allowed for at least similar reasons as claim 1. Claims 2, 3, 9, 10, 16, 17, and 23-25 have been cancelled.

The examiner rejected claims 6-7, 13-14, and 20-21 under 35 U.S.C. § 103(a) as being unpatentable over Matthews, Fletcher, Richman, Lee, and Foster as applied to claims 1, 8, 15, and 22 respectively above.

Claims 6-7, 14, 20, and 21 include features similar as those in claim 1 and thus should be allowed for at least similar reasons as claim 1. Claim 13 has been cancelled.

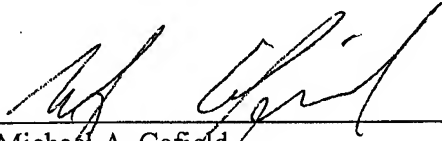
CONCLUSION

For the foregoing reasons, the applicants respectfully request reconsideration and allowance of the present application. The applicants encourage the examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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